



SIMPLOT PHOSPHATES LLC
(435) 789-7795

9401 NORTH HWY. 191

VERNAL, UTAH 84078

cc: Paul
m/047/007

April 28, 2006

Mr. Paul Baker
Senior Reclamation Biologist
Utah Division of Oil, Gas and Mining
PO Box 145801
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

RECEIVED
MAY 01 2006
DIV. OF OIL, GAS & MINING

RE: Request for release of Reclaimed land by Simplot Phosphates LLC

Dear Mr. Baker:

Let me once again thank both you and Doug Jensen for taking time out of your busy schedules to visit with us and answer our plethora of reclamation related questions. The weather was much more cooperative and pleasant this time around than it was for our last inspection. I'd also like to thank you for your support in Simplot Phosphates LLC's (Simplot) receiving an Earth Day Award.

This letter shall serve as Simplot's request for release of reclaimed land at its Vernal phosphate operations. As stated in the Simplot and Division of Oil, Gas and Mining Reclamation Contract section 6:

"If reclamation of discrete sections of the Disturbed Area is completed to the satisfaction of the Division, and the Division finds that such sections are severable from the remainder of the Disturbed Area, Operator may request the Division to certify that Operator has reclaimed such discrete sections of the Disturbed Area in accordance with the Act and Implementing rules..."

Please find enclosed a revised 1"=500' scale map with the requested release areas as per our inspection. I have labeled the areas with an identifying name and their corresponding acreages and have highlighted them to help them stand out and be readily identifiable. There are a total of 44.5 acres eligible for release and broken out as:

<u>Area</u>	<u>Acres</u>
Panel A North	.7
Panel A Middle	1.9
Panel A South	.2
Panel B Area 1	13.8
Panel B Area 2	19.1
Panel B Area 3	<u>8.8</u>
Total	44.5

In addition to these 6 areas we also visited an 8.3 acre area. I've labeled this area Panel A Area 1 on the map. This was the first area we visited. This area has been carried on the maps as mined land that has been reclaimed and never been released. While in fact it was an area of high cover that was mined around and has been untouched. At some point in time it was mislabeled and has been carried on the books for many years. I have made this correction and will drop it from mined acreage still requiring release category.

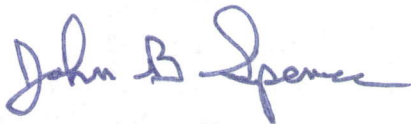
I look forward to receiving information regarding:

- Plateau herbicide, how to apply it, etc.
- The most current seed mix.
- Reformulating the seed mix for our conditions, adding similar seed to what's working and removing the unsuccessful seed, etc.
- Required changes in our permit.
- Formal release of reclaimed land from previous request.

We have already plowed in 11-12 acres in the meadow to replant in order to get weed free mulch for our reclamation as you suggested. We will reclaim Hole-in-the-Wall canyon starting late summer or early fall so we can get it seeded by this fall before the rains come.

If you have questions please call me at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "John B. Spencer". The signature is fluid and cursive, with the first name "John" being the most prominent.

John B. Spencer, P.E.
Simplot Phosphates LLC
Environmental / Senior Mining Engineer
(435) 781-3348